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judiciary," namely, the criminal magistracy (page 330) shows an imperfect knowledge of that social structure which he desires to reform. His misconception of the nature of crime, which seems fundamental, may be illustrated by his statement (page 247) that prostitution is not really crime, although made so by statute, because the action is due to natural human impulses, does not give rise to a conflict between individual interests, and is a professional activity.

These, it may be urged, are mere microscopic defects in a comprehensive work. They seem to the reviewer to indicate an ignorance of the essential subject-matter of the science. But the author seems to have fundamental limitations which lead him to ignore valuable factors in civilization, and thus reach a partial, if not a partisan, view of the subject. To him, religion is merely superstition; morality is only the *scientia morum*; education, the assembling of information about the physical world. The gross materialism of his philosophy is united with a sort of mechanical sentimentality on the subject of penology which hardly carries conviction.

J. H. BEALE.

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THE LAW OF TRADING WITH THE ENEMY. By Charles Henry Huberich. New York: Baker Voorhis Company. 1918.

This book is primarily a commentary on the Act of Congress of October 6, 1917, known as "The Trading with the Enemy Act"; as a commentary its value is doubtful. The proofs were closed too late to include certain fundamental executive orders of February, March, and April, and certain fundamental decisions have changed something of what is stated as law in the book. Some problems, moreover, that have been discussed in recent decisions are not touched upon in the volume. Though this is not the author's fault, it of course renders the book far less valuable than a slightly later book would have made it. Nor does Mr. Huberich point out the important particulars in which American legislation differs from the English Act of 1914. He does not distinguish adequately what is new in substance and effect in the present law in its relation to older theories of neutrality and contraband. He does not give the forms of the war trade board or the custodian of alien property, though he does summarize the certain orders and a treasury decision preceding the act. Mr. Huberich's views are valuable but uneven. His wide continental experience makes his comments upon the position and powers of an alien enemy particularly useful. Its citations are accurate and full. It is certainly an improvement on the volumes of Schuster and of Campbell which have come to us from England. Its practical utility lies in the fact that it is the latest treatment we possess upon the subject which yesterday was all but academic and today is of vital importance. It will be a source of satisfaction to every student of International Law if Mr. Huberich would so revise his book as to make it that standard of treatise he is so uniquely qualified to write.

CHARLES MARVIN.

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HANDBOOK OF CRIMINAL PROCEDURE. By William L. Clark, Jr. Second Edition by William E. Mikell. West Publishing Company. 1918. pp. xi, 748.

This is one of the "Hornbook Series" and presents the familiar features of that series. It is an attempt to state in summary fashion the existing law. The scope of the field and the importance of local technicalities add to the difficulties of such treatment. The editor speaks in his preface of the uneven progress toward de-technicalization of criminal procedure which has marked